



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

DAS
F.#2009R02161

271 Cadman Plaza East
Brooklyn, New York 11201

June 28, 2012

BY HAND AND ECF

Kelley J. Sharkey
Attorney at Law
26 Court Street
Suite 1016
Brooklyn, NY 11242

Re: United States v. Peter Liounis
Criminal Docket No. 12-CR-350 (ILG)

Dear Ms. Sharkey:

Pursuant to Rule 16 of the Federal Rules of Criminal Procedure, the Government furnishes the following discovery material with respect to the above-referenced case. The government also requests reciprocal discovery.

The Government's Discovery

1. Statements of the Defendant

After the defendant was arrested, he received and waived his Miranda rights and made statements to agents. A report detailing these statements is enclosed, Bates-numbered DOJ00000001 - DOJ00000003.

2. The Defendant's Criminal History

Documents pertaining to the defendant's criminal history are enclosed, Bates-numbered DOJ00006537 - DOJ00006555.

3. Documents and Tangible Objects

Please find enclosed a disc containing the following documents:

Document Description	Bates Range
Intake documents and photographs of items recovered from the defendant at arrest	DOJ00000004 - DOJ00000030
Applications and orders for pen registers and tracking warrants	DOJ00000031 - DOJ00000591
Data obtained from GPS search warrant for (201) 668-6944	DOJ00000592
Data obtained from pen register and GPS search warrant for (347) 465-0606	DOJ00000593 - DOJ00000682
Data obtained from pen register for (917) 224-8087	DOJ00000683 - DOJ00000689
Data obtained from pen register for (917) 370-6944	DOJ00000690 - DOJ000001403
Data obtained from tracking warrant for white 2001 Nissan Pathfinder and gray 2011 Mercedes Benz 350	DOJ00001404 - DOJ00001405
Data obtained from email search warrant for YAROVAIRYNALTD@gmail.com	DOJ00001406 - DOJ00001692
Data obtained from GPS search warrant for (917) 224-8087 ¹	DOJ00001693 - DOJ00002989
Data obtained from GPS search warrant for (917) 370-6944	DOJ00002990 - DOJ00005140
Data obtained from tracking warrant for gray Mercedes Benz ML 350	DOJ00005141
Data obtained from pen register and GPS search warrant for (917) 954-4535	DOJ00005142 - DOJ00005209
Data obtained from tracking warrant for gray Mercedes Benz 350	DOJ00005210

¹Additional location data relating to this phone number will be provided to you in a subsequent production.

Data obtained from search warrant for Express Mail envelope addressed to Mike Sloli	DOJ00005211 - DOJ00005230
Audio recordings obtained from wiretap of defendant's personal phone: (917) 370-6944 ²	DOJ00005231
Bank records for Grayson Hewitt Chase account	DOJ00005232 - DOJ00005785
Documents obtained from Grayson Hewitt investors	DOJ00005786 - DOJ00005863
Bank records for Peter Liounis Capital One account	DOJ00005864 - DOJ00005923
Phone records	DOJ00005924 - DOJ00006536

4. Reports of Examinations and Tests

The government will provide copies of any examinations and tests conducted in this case.

5. Expert Testimony

The government will comply with Fed. R. Crim. P. 16(a)(1)(E) by notifying you in a timely fashion of any expert the government intends to call at trial and by providing you with a summary of that expert's opinion.

6. Brady Material

The government is aware of and will comply with its obligation to produce exculpatory material or information within the scope of Brady v. Maryland, 373 U.S. 83 (1963) and its progeny.

Before trial, the government will furnish information or material regarding payment, promises, immunity, leniency or preferential treatment, if any, given to prospective government witnesses within the scope of Giglio v. United States, 405 U.S. 150 (1972) and Napue v. Illinois, 360 U.S. 264 (1959). The government will furnish before trial information or material

²Applications, affidavits and orders filed in connection with this wiretap were included in the documentation filed in connection with the wiretap of (347) 465-0606, which was provided to you on April 18, 2012.

regarding any prior convictions of any co-conspirator, accomplice or informant who may be testifying at trial for the government.

The government will also furnish before trial materials discoverable pursuant to Title 18, United States Code, Section 3500.

7. Other Crimes, Wrongs or Acts

The government will provide the defendant with reasonable notice in advance of trial if it intends to offer any material under Fed. R. Evid. 404(b).

The Defendant's Required Disclosure:

The government hereby requests reciprocal discovery under Rule 16(b) of the Federal Rules of Criminal Procedure. The government requests that the defendant allow inspection and copying of (1) any books, papers, documents, photographs, tapes, tangible objects, or copies or portions thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely on at trial, and (2) any results or reports of physical or mental examinations and of scientific tests or experiments, including fingerprint analyses, made in connection with this case, or copies thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely upon at trial or which were prepared by a witness whom the defendant intends to call at trial.

The government also requests that the defendant disclose prior statements of witnesses who will be called by the defendant to testify. See Fed. R. Crim. P. 26.2. In order to avoid unnecessary delays, we request that you have copies of these statements available for production to the government no later than the commencement of trial.

The government also requests that the defendant disclose a written summary of testimony that the defendant intends to use as evidence at trial under Rules 702, 703, and 705 of the Federal Rules of Evidence. The summary should describe the opinions of the witnesses, the bases and reasons for those opinions, and the qualification of the witnesses.

Pursuant to Fed. R. Crim. P. 12.3, the government hereby demands written notice of the defendant's intention, if any, to claim a defense of actual or believed exercise of public authority, and also demands the names and addresses of the witnesses upon whom the defendant intends to rely in establishing the defense identified in any such notice.

If you have any questions or further requests, please do not hesitate to contact us.

Very truly yours,

LORETTA E. LYNCH
UNITED STATES ATTORNEY

By: /s/Daniel Spector
Daniel A. Spector
Pamela E. Chen
Assistant U.S. Attorney
(718)254-6345/7575

Enclosures
cc: Clerk of Court